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JOHN TENNISON

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

JOHN TENNISON, Plaintiff, v. CITY AND COUNTY OF SAN FRANCISCO; SAN FRANCISCO POLICE DEPARTMENT; PRENTICE EARL SANDERS; and NAPOLEON HENDRIX, Defendants.	Case No. C 04-00574 CW **STIPULATED CONSENT JUDGMENT AND [PROPOSED] ORDER OF DISMISSAL UNDER FRCP 41(a)(2)**

STIPULATION

The undersigned parties, by and through their respective counsel, do hereby stipulate:

WHEREAS, the parties are engaged in litigation in this Court, Case No. C 04-00574 CW (the "Action");

WHEREAS, the parties have agreed to resolve the Action pursuant to Settlement Agreements and Mutual Releases (the "Agreements"); and

WHEREAS, said Agreements called for the entry of a Consent Judgment and Order of Dismissal upon the terms set forth in the Agreements;

ACCORDINGLY, IT IS HEREBY STIPULATED AND JOINTLY REQUESTED that the Court enter the attached Consent Judgment and Order of Dismissal.

Dated: September 22, 2009 KEKER & VAN NEST, LLP

By: */s/ Elliot R. Peters*
ELLIOT R. PETERS
Attorneys for Plaintiff
JOHN TENNISON

Dated: September 22, 2009 OFFICE OF THE CITY ATTORNEY

By: */s/ Joanne Hoeper*
JOANNE HOEPER
Attorneys for Defendant
CITY AND COUNTY OF SAN FRANCISCO

Dated: September 22, 2009 MOSCONE, EMBLIDGE & QUADRA, LLP

By: */s/ James A. Quadra*
JAMES A QUADRA
Attorneys for Defendants
PRENTICE EARL SANDERS and NAPOLEON HENDRIX

FILER'S ATTESTATION

I, Daniel Purcell, the filer of this document, hereby attest that concurrence in the filing of this document has been obtained from each signatory hereto.

Dated: September 22, 2009

By: */s/ Daniel Purcell*
DANIEL PURCELL

CONSENT JUDGMENT AND [PROPOSED] ORDER OF DISMISSAL

The Court enters this Consent Judgment and Order of Dismissal, based on the stipulation of the parties, plaintiff John J. Tennison ("Tennison"), on the one hand, and defendants City and County of San Francisco, and Prentice Earl Sanders and Napoleon Hendrix (collectively "Defendants"), on the other hand, in light of the following:

WHEREAS, Tennison and Defendants are engaged in litigation in this Court, Case No. C 04-00574 CW (the "Action");

WHEREAS, Tennison and Defendants have agreed resolve the Action pursuant to Settlement Agreements and Mutual Releases (the "Agreements"); and

WHEREAS, said Agreements called for the entry of this Consent Judgment and Order of Dismissal upon the terms set forth in the Agreement;

ACCORDINGLY, IT IS HEREBY ORDERED AS FOLLOWS:

1. Tennison's claims, as set forth in his Amended Complaint filed August 27, 2009, are dismissed with prejudice;

2. The dismissal set forth in paragraph 1 of this Judgment is made pursuant to Federal Rule of Civil Procedure 41(a)(2) and is conditioned on the parties' compliance with the terms of the Agreements, which terms are incorporated herein and are made part of this Judgment;

3. The Court retains jurisdiction to enforce this Judgment and the incorporated Agreement; and

4. Other than as provided in the Agreements, each party is to bear its own costs and fees to date.

IT IS SO ORDERED.

Dated:

THE HONORABLE CLAUDIA WILKEN
United States District Judge